

Practitioner's Docket No. 51436.0000

10/594051 PATENT

CHAPTER II

TRANSMITTAL LETTER TO THE UNITED STATES ELECTED OFFICE (EO/US)  
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PCT/DE2005/000521

March 22, 2005

March 25, 2004

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

System and Device Implantable in Tissue of a Living Being for Recording and Influencing  
Electrical Bio-Activity

TITLE

Universität Bremen

APPLICANT FOR DO/US

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under  
35 USC § 371:

- ☐ This express request to immediately begin national examination procedures (35 USC § 371 (f):
- ☒ The U.S. Basic National Fee (35 USC § 371 (a)) and other fees (37 CFR § 1.492) as indicated  
below:

EXPRESS MAILING UNDER 37 CFR §1.10\*

(Express Mail label number is mandatory)  
(Express Mail certification is optional.)

I hereby certify that this correspondence, along with any document referred to, is being deposited with the United  
States Postal Service on the date indicated below in an envelope addressed to Mail Stop PCT, Commissioner of  
Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No.  
ED 930871898 US.

Date: September 25, 2006

Patty Eckman

(type or print name of person mailing paper)

*Patty Eckman*

Signature of person certifying

\*WARNING:

Each paper or fee filed by Express Mail must have the number of the "Express Mail" mailing label placed thereon prior to  
mailing. 37 C.F.R. § 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be  
avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition."  
Notice of Oct. 24, 1996, 60 Fed. Reg. 55,439, at 56,442.

2. Fees

		<input checked="" type="checkbox"/> <b>Basic national fee</b> (37 CFR 1.492(a))			<b>\$150.00</b>
<b>Claims</b>		Number filed	Number extra	Rate	
	Total Claims	0	0	x \$ 25.00 =	<b>\$0</b>
	Independent Claims	0	0	x \$100.00 =	<b>\$0</b>
	Multiple Dependent Claims(s) (if applicable)			+ \$180.00	<b>\$0</b>
<b>Examination Fee</b> (37 CFR 1.492(c))	<input checked="" type="checkbox"/> Examination fee <input type="checkbox"/> If written opinion prepared by ISA/US or international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) <input checked="" type="checkbox"/> All other situations			\$0	<b>\$100.00</b>
<b>Search Fee</b> (37 CFR 1.492(b))	<input checked="" type="checkbox"/> Search fee <input type="checkbox"/> If written opinion of the ISA/US or international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) <input type="checkbox"/> Search fee (37 CFR 1.445 (a)(2) has been paid on the international application to the USPTO as an International Searching Authority <input checked="" type="checkbox"/> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB <input type="checkbox"/> All other situations			\$200.00	
<b>Additional Pages</b>	<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			\$400.00	<b>\$200.00</b>
	<input type="checkbox"/> All other situations			\$500.00	
	<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			\$250.00	<b>\$0</b>
	Surcharge of \$130 for furnishing any of the search fee, examination fee, oath or declaration after date of commencement of national stage (37 CFR 1.492(h)).			\$130.00	<b>\$0</b>
Total of above calculations					<b>\$450.00</b>
<b>Small Entity</b>	<input checked="" type="checkbox"/> Applicant hereby claims small entity status. 37 CFR 1.27.			= \$	\$ _____
				Subtotal	<b>\$450.00</b>
				Total National Fee	<b>\$</b>
	<input type="checkbox"/> Fee for recording enclosed assignment				<b>\$</b>
				<b>Total fees</b>	<b>\$450.00</b>

☒ Authorization is hereby made to charge the amount of **\$450.00** to Deposit Account **13-0760**.

☒ The Commissioner is also hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account **13-0760**. *A duplicate copy of this sheet is enclosed.*

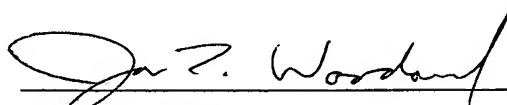
3. ☒ A copy of the international application as filed (35 USC 371(c)(2)):
- a. ☒ is transmitted herewith
  - b. ☐ is not required as the application was filed with the U.S. Receiving Office.
  - c. ☐ has been transmitted
    - ☐ by the International Bureau  
Date of mailing of the application (from form PCT/1B/308): \_\_\_\_\_
    - ☐ by applicant on \_\_\_\_\_ (date)
4. ☒ A translation of the international application into English (35 USC § 371(c)(2)):
- a. ☐ is transmitted herewith
  - b. ☐ is not required as the application was filed in English
  - c. ☐ was previously transmitted by applicant on \_\_\_\_\_ (date)
  - d. ☒ will follow
5. ☐ Amendments to the claims of the international application under PCT Article 19 (35 USC § 371(c)(3)):
- a. ☐ are transmitted herewith
  - b. ☐ have been transmitted
    - ☐ by the International Bureau  
date of mailing of the application (from form PCT/1B/308): \_\_\_\_\_ (date)
    - ☐ by applicant on \_\_\_\_\_ (date)
  - c. ☐ has not been transmitted as
    - ☐ applicant chose not to make amendments under PCT Article 19.  
Date of mailing of Search Report (from form PCT/ISA/210): \_\_\_\_\_
    - ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before expiration of the time limit under PCT Rule 46.1.
6. ☐ A translation of the amendments to the claims under PCT Article 19 (38 USC § 371(c)(3)):
- a. ☐ is transmitted herewith
  - b. ☐ is not required as the amendments were made in English
  - c. ☐ has not been transmitted for reasons indicated at point 5(c) above.
7. ☒ A copy of the international examination report (PCT/IPEA/409)
- ☒ is transmitted herewith.
  - ☐ is not required as the application was filed with the U.S. Receiving Office.
8. ☐ Annexes to the international preliminary examination report:
- a. ☐ is/are transmitted herewith.
  - b. ☐ is/are not required as the application was filed with the U.S. Receiving Office.
9. ☐ A translation of the annexes to the international preliminary examination report:
- a. ☐ is transmitted herewith.
  - b. ☐ is not required as the annexes are in English.
10. ☒ An oath or declaration of the inventor (35 USC § 371 (c)(4)) complying with 35 USC § 115:
- a. ☐ a declaration of inventorship in compliance with § 1.497 has been submitted in the international application under PCT Rule 4.17(iv) within the time limits provided for in PCT Rule 26ter.1 on \_\_\_\_\_ (date)
  - b. ☐ was previously submitted by applicant on \_\_\_\_\_ (date)

- c. ☐ is submitted herewith and such oath or declaration is:  
☐ is attached to the application  
☐ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states they were reviewed by the inventor as required by 37 CFR § 1.70.
- d. ☒ will follow
11. ☒ An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):  
a. ☒ is transmitted herewith  
b. ☐ has been transmitted by the International Bureau  
date of mailing (from form PCT/IB/308): \_\_\_\_\_(date)  
c. ☐ is not required, as the application was searched by the U.S. International Searching Authority  
d. ☐ will be transmitted promptly upon request  
e. ☐ has been submitted by applicant on \_\_\_\_\_(date)
12. ☒ An Information Disclosure Statement under 37 CFR §§ 1.97 and 1.98:  
a. ☐ is transmitted herewith  
b. ☒ will be transmitted within three (3) months of submission date of requirements under 35 USC § 371(c).  
c. ☐ was previously submitted by applicant on \_\_\_\_\_(date)
13. ☐ An assignment document is transmitted herewith for recording. ☐ A separate Cover Sheet for Assignment Accompanying International Application Entering National Stage is also attached.
14. ☒ Additional Documents:  
a. ☐ Copy of request (PCT/RO/101)  
b. ☒ International Publication No. **WO 2005/094669 A1**.  
i. ☐ Specification, claims and drawings ii. ☒ front page only  
c. ☐ Preliminary amendment (37 CFR § 1.121)  
d. ☒ Other - **PCT Notification of Receipt of Record Copy**
15. The above checked items are being transmitted  
a. ☒ before 30 months from any claimed priority date.  
b. ☐ after 30 months

Reg. No. 45,515

Phone: 814-870-7664

Customer No. 27101



Signature of Practitioner

**Jon L. Woodard**

Type or print name of attorney

**MacDonald Illig Jones & Britton LLP**

**100 State Street - Suite 700**

Street Address

**Erie, PA 16507-1459**